



Lambda Letters Project

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Intersex: The Sex That Dare Not Speak Its Name

By Curtis Hinkle, President, Organisation Intersex International

One of the most basic questions which is often not even asked is the following: Who owns our bodies? At first, this question probably seems absurd because the answer seems obvious. We do! However, this is a fundamental question that we all face today, especially the intersexed. As regards the LGBTI community—especially intersex people—society, often backed up by the state, determines what our bodies should look like and what we can do with them.

We are all born into a system in which our sex is defined by simply looking at the body, more specifically genitals. Society says everyone must have a male or female body. The power that doctors and the legal system have to determine the sex of an individual has very serious consequences which affect the life and the future of all children, not just those who are born intersexed. The bodies of intersexed children do not belong to them because such bodies question the validity of the binary system which stipulates that everyone must be either male or female. Such

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Good News for Same-Sex Couples

By Joe Solmonese, President, Human Rights Campaign

It is a great and historic day for our community. Recently the Federal Pension Protection Act (HR 4) was signed into law. It includes two provisions that extend important financial protections to more Americans—including same-sex couples. This is an incredibly exciting victory that will be helpful to millions of gay, lesbian, bisexual, and transgender families.

HR 4 is important because it has two hard-fought provisions that the Human Rights Campaign (HRC) lobbied for intensely and eventually secured in the legislation. These provisions will help same-sex couples nationwide. They basically ensure that, in times of emergencies, the US tax code is fairer to more Americans, including our community, by putting us on a more equal footing with opposite-sex couples.

Here is how these provisions can impact the lives of LGBT Americans.

The first provision is called "non-spousal rollover." It allows the transfer of an individual's retirement plan benefits, like a

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Help Nonprofits This Holiday Season

By Allan Shore, Development Director

Want to help raise funds for a nonprofit that's close to your heart? Rainbow Wedding Network's longtime Wedding Expo sponsor, OutVite.com, the leading online vendor of fine invitations and stationery designed explicitly for the LGBT community, has the answer. By partnering with Cards With a Heart, a company dedicated to helping nonprofits raise funds using card products, we have developed a unique fundraising opportunity.

This holiday season, consumers and businesses alike can order charity holiday cards online with a simple link from the participating charity's home website to a newly created OutVite charity card ordering page. Each card features the charity's logo and message of support, in addition to a holiday greeting.

This novel holiday card program is a "win win" for all involved. At no cost to the nonprofit—either for program setup, participation, or administration—the charity receives a 40% donation for every charity card sold.

Meanwhile, supporters receive quality cards from the nation's premier online

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Lambda Letters Progress Report

Letters Collected

July, 2006
In all of 2006

38,741 letters
185,689 letters & e-mails

Dollars Spent

July, 2006
In all of 2006

\$10,585
\$62,898

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender, and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; women; and people of low economic status. We urge elected officials to enact and support legislation that accomplishes this goal.

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Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave? If so, you may register a complaint with the Department of Fair Employment and Housing.
In cases of employment discrimination, call the department at (800) 884-1684.
In cases of housing discrimination, call (800) 233-3212. The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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Provide Court Interpreters So Justice Is Understood, Not Denied

By Boyce Hinman, Chief Lobbyist

Please write to Governor Schwarzenegger and urge him to sign AB 2302, which would require the courts to provide interpreters in a wide variety of civil cases when a party to the proceeding is limited-English proficient unless the party provides his or her own interpreter. This legislation is important because existing laws provide only a patchwork of protections.

For example, existing law requires a court interpreter in civil cases for parties who are deaf or have a hearing impairment that prevents them from speaking or understanding English. However, the law does not provide a court interpreter for other parties who are not proficient in English, such as those who speak another language.

Existing law does require an interpreter for witnesses who speak a language other than English, but not for the parties in the case. One statute provides for interpreters in certain cases involving domestic violence, parental rights, and dissolution of marriage involving a protective order. However, compliance with this law depends on federal funding, which is not available.

For Californians who are not proficient in English, the prospect of navigating the legal system is daunting, especially for the growing number of parties in family court and other cases who do not have access to legal services and therefore have no choice but to represent themselves in court—a virtually impossible task for people who are unable to understand the proceedings.

Of the state's 34 million people, about 26% (roughly 8.8 million) are foreign born. Forty percent of the state's population speaks a language other than English at home. This extraordinary diversity is among the state's greatest assets and has helped make California an international leader in business,

Support a Bias-Free Curriculum

By Shirin Buckman, Legislative Analyst

It is extremely important to write Governor Schwarzenegger this month to ask him to sign SB 1437.

After threatening to veto it, the bill's author, Sheila Kuehl (D-Los Angeles), took out provisions that require public schools to teach historical contributions that LGBTI Americans have made in the progress of this country. As it stands, the bill requires the State Board of Education to establish a bias-free curriculum.

Currently the State Board of Education is barred from using textbooks or other educational materials, or sponsoring any events, that are discriminatory against anyone based on their race, sex, color, creed, handicap, national origin, ancestry, or occupation.

SB 1437 adds a wider base of protection from discrimination by including race or ethnicity, gender, disability, nationality, sexual orientation, and religion.

SB 1437 is significant for the LGBTI community because textbooks, instructional materials, and school-sponsored events must use gender-neutral language. For example, by publishing the words "spouses" or "partners," as opposed to the words "a husband and a wife," LGBTI students are protected against bias in their educational experience.

"By protecting LGBT youth from negative stereotyping in their own, required, educational materials, SB 1437 would promote a safe and respectful environment in California schools," said Equality California, the sponsor of the bill.

The California-based Campaign for Children and Families calls SB 1437 "a sexual-agenda bomb dressed up as a child-caring Easter egg," warning its readers against "transsexual cheerleaders."

The ignorance and hatred inherent in this kind of speech is precisely the reason why SB 1437 is so important.

Please ask the governor to sign SB 1437. 

Wait No More for Pay Equity

By Joy Fisher, Legislative Analyst

We told you about this bill in June, and we're telling you about it again because September is the month when bills that pass the legislature land on the governor's desk. If ever there was a bill that deserved to become law, this is it. If ever there was a bill that needed your help to become law—this is it!

AB 2555, introduced by Assemblymember Jenny Oropeza (D-Carson), seeks to close the wage gap that persists between men and women for work that requires equal skill, effort, and responsibility. In 1949, when California first enacted laws prohibiting pay discrimination, full-time women workers made 59 cents for every dollar earned by a man. Today, 57 years later, women working full-time still earn only 77 cents for every dollar earned by a man. When calculated over the course of a working lifetime, this disparity costs the average American working woman an estimated \$500,000.

This inequality particularly affects women of color. African-American women earn just 63 cents and Latinas earn just 62 cents for every dollar paid to a white male worker.

Equal pay isn't just a women's issue. When women get equal pay, their family incomes increase and the whole family benefits—and so does the economy because when these workers get the pay they deserve, they put that money back into the economy.

AB 2555 seeks to end gender-based pay inequity in three ways. It establishes a nine-member Equal Pay Commission to study pay disparities for a year and then report their findings to the legislature, after which the commission will be disbanded. It increases damages for which an employer may be liable for violating the law to include a civil penalty of twice the amount of wages due the aggrieved employee, or four times the balance of wages due if the employer's violation is willful. Finally, AB 2555 requires an employer of 50 or more employees to provide each employee with a written statement specifying, among other things, how the employee's wages are calculated.

Support Health Care for All

By Shirin Buckman, Legislative Analyst

According to the AFL-CIO, 20% of all Californians are uninsured, and 75% of those uninsured are employed. According to Insurance Commissioner John Garamendi's report, "Priced Out: Health Care in California," the reason for this situation is that the cost of private health insurance has risen 60% in four years. Therefore, employers are dropping or reducing benefits for employees and their families. That is why it is so important to support SB 840, the Single Payer Health Care Initiative.

If passed, SB 840 by Sheila Kuehl (D-Los Angeles) would create a California Health Insurance System that would provide health insurance to every California resident. Insuring every Californian would cost the state \$166.8 billion in 2006. Currently, however, California pays \$184.2 billion in total health spending. If administered, universal health care would save California *and consumers* a significant amount of money through the reduction of administrative costs and bulk purchasing of prescription drugs and medical equipment.

A California Health Insurance System would also cut down significantly on administrative costs and red tape. According to the California Consumer Watchdog, "Half of every dollar spent on health care is wasted on administration, insurance company profits, and overpriced pharmaceuticals. Only by insuring everyone in a new California health insurance program that leverages the state's buying power and focuses on preventive care can we provide higher quality, affordable health care to all Californians."

A single-payer system would create one administration for all Californians. Currently there are over 20 programs administering low-income health care available in the country. Medi-Cal funds 40% of all births and two-thirds of all nursing home stays. But Medi-Cal funding is 51st in the nation (funding per beneficiary)—even behind Washington, DC. In addition, rates of uninsured individuals vary by race. According to Garamendi's report, "In 2003, approximately 6% of Caucasians were uninsured for the full year in California. By contrast, Latinos (21.9%), American Indian/Alaska Natives

Protect Prisoners from Unsafe Sex

By Boyce Hinman, Chief Analyst

This month we ask you to write to the governor urging him to sign AB 1677. This is an important AIDS bill, but it has been a tough sell. It literally sat in the Senate Appropriations Committee for a whole year before they approved it and sent it to the full Senate. The governor will be under great pressure to veto this bill by those who say it is immoral. The prison guards' union will probably also oppose it. We need to flood the governor's office with supportive mail to persuade him to sign it.

AB 1677 by Paul Koretz (D-West Hollywood) would allow private, nonprofit organizations to distribute condoms to prisoners in California's prisons. By some estimates, the rate of HIV infection in California's prison system is eight times higher than in the general population. Unprotected sex is one of the three most common means of HIV transmission in prisons. And yet condoms are prohibited in California prisons.

In California, one-fifth of inmates are incarcerated on drug-related charges. Many of these individuals are, or have been, injection drug users who are at a high risk of contracting HIV through needle sharing.

A typical prisoner begins his incarceration being more likely to be HIV-positive than someone in the general population. Placed in a single-sex environment without access to condoms, prisoners often engage in consensual, unprotected sex. They do it for bartering for goods and for personal protection. The

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(14.6%), Asian Americans (9.6%), and African Americans (8.1%) had significantly higher rates of uninsurance."

Single-payer health care is good for everyone. Each Californian would choose his or her own health care benefits package and doctor, and not have to sacrifice other necessities of life for it.

It is time that we took health care responsibilities out of the hands of corporations. Please sign the sample letter in support of SB 840, the Single Payer Health Care Initiative. 

This newsletter printed on recycled paper

Núñez Challenges Handouts to Top CSU Officials

By Pat Washington, Chair

The Lambda Letters Project applauds Assembly Speaker Fabian Núñez for demanding an audit of the California State University System's post-employment compensation packages for an elite circle of high-ranking administrators.

The speaker says he will ask that the audit begin this coming January, once the auditors complete other audits they are currently working on.

Núñez called for the legislative audit following a *San Francisco Chronicle* exposé detailing Chancellor Charles Reed's \$4 million-plus payout to high-level CSU officials leaving (or having already left) the CSU system for other jobs. The *Chronicle* also uncovered the chancellor's practice of keeping certain retired officials on the payroll for up to three years—post-retirement—at annual salaries exceeding \$200,000. According to the *Chronicle*, these officials were given "special projects" that often had no deliverables attached or written reports required.

These extravagant pay deals—made without public disclosure—have taken place against a backdrop of spiraling tuition costs, declining educational access, and reduced educational funding. As California Faculty Association President John Travis noted, "Many students are now working two jobs to pay for their tuition, while former administrators are receiving taxpayer dollars in the six-figure range for performing no job."

Providing a broader perspective, Travis noted that the \$4 million-plus given to departing CSU officials "could have helped prevent \$2.5 million in budget cuts planned for CSU-Dominguez Hills, the campus that serves the most African American students in the system."

In addition to receiving lavish payouts upon leaving top posts at CSU, some executives are promised full tenured professorships—without having taught a day in their lives and without meeting any of the other requirements for tenure. According to revelations made by the *Chronicle*, CSU's top attorney falls into this category. Ironically, one

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September Legislative Update

August 31 was the final day for the legislature to meet this year. All bills to be passed this year had to be passed by both houses of the legislature and sent to the governor by that date. The governor has until September 30 to decide whether to sign or veto the bills or let them become law without his signature. So we will know for sure, on that date, which bills made it.

Almost all bills passed and signed by the governor by the deadline become effective on January 1, 2007. Any bill, however, can become effective as soon as the governor signs it if two-thirds of each house of the state legislature voted to have it take effect immediately. Sometimes the legislature votes to have a bill become effective later than January 1, 2007. They do that when they think state government needs more time to prepare to do what is required in the bill.

Here is the latest status report on the bills we have been working on as of August 21. To see which bills made it out of the legislature go to the Lambda Letters website at www.lambdaletters.org and click "Legislative Update." If the status line says "enrolled," that means the bill was approved and sent to the governor. If the status line says "charted," that means the governor signed the bill.

HIV/AIDS Issues

AB 1677 (Paul Koretz, D-West Hollywood)

Purpose: To allow nonprofit agencies to distribute condoms in state prisons.
Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2076 (John Laird, D-Santa Cruz)

Purpose: To allow local governments to use HIV prevention and education general funds received from the state to pay for supplies for needle-exchange programs.
Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2280 (Mark Leno, D-San Francisco)

Purpose: To require the state to develop a counseling model for all people who receive HIV testing at any publicly funded clinic.
Status: Sent to the Senate floor for a final vote in that house.

LLP Position: Support.

SB 1341 (Gilbert Cedillo, D-Los Angeles)
Purpose: To change the deadline currently in place on a law which allows thrift stores selling goods to support programs for people with HIV/AIDS to not charge a sales tax on the goods sold. These thrift stores would be allowed to sell items without charging sales tax until January 1, 2012.
Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1471 (Sheila Kuehl, D-Los Angeles)
Purpose: To stipulate that sex education classes operated by the state or receiving state funds should be complete, accurate, age-appropriate, and should not express bias on any of several bases including sexual orientation.
Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SJR 22 (Jackie Speier, D-San Mateo)
Purpose: To ask Congress to approve federal legislation meant to speed the development of a microbicide to prevent the transmission of HIV and other diseases.

Status: Awaiting a vote on the Senate floor to agree with changes made to the bill in the Assembly. **LLP Position:** Support.

Economic Issues

AB 75 (Dario Frommer, D-Glendale)

Purpose: To establish the California Rx Plus State Pharmacy Assistance Program. Any licensed pharmacy or drug manufacturer could enter the program. The state would negotiate drug discounts with them on behalf of people on a limited income.
Status: In the Senate Health Committee. Hearing cancelled by author. Probably dead.
LLP Position: Support.

AB 1778 (Sally Lieber, D-San Jose)

Purpose: To allow parents to prohibit schools from releasing information about the parent's children to US military recruiters. Students may overrule their parents on this point.
Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 1835 (Sally Lieber, D-San Jose)

Purpose: To increase the minimum wage to \$7.25 per hour, effective July 1, 2007, and to \$7.75 per hour, effective July 1, 2008. Minimum wage would be adjusted automatically every January 1 after that, based on inflation.

Status: Approved by the Senate Appropriations Committee. Sent to the Senate Rules Committee.
LLP Position: Support.

AB 1851 (Joe Coto, D-San Jose)

Purpose: To delete a deadline in current law that allows participating health, dental, or vision plans to assist people in signing up for the Healthy

Families Program. The plans would be allowed to continue doing this.

Status: Sent to the governor for signature.
LLP Position: Support.

AB 1971 (Wilma Chan, D-Oakland)

Purpose: Currently health insurance companies and health care plans are required to provide limited-coverage and less expensive health coverage plans. This is a pilot program to end September 1, 2007. This bill extends the program to 2008. The bill would also require health care service plans and health insurers to sell a standard benefit plan to all individuals, regardless of health status, claims experience, or medical condition, in each geographic region in which the entity makes coverage available. It would also authorize a health care service plan or insurer to pay a fee, to the state, to contribute to the cost of a state insurance plan, instead of providing the standard benefit plan.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2004 (Leland Yee, D-San Francisco)

Purpose: To suspend Medi-Cal health care benefits for a juvenile who is sentenced to jail but require the state to assure that those benefits are re-established as soon as the youth is released from jail. Also would require the state to help inmates being released to apply for Medi-Cal or the Healthy Families Program if their eligibility for these programs had not already been established.
Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2040 (Judy Chu, D-Monterey Park)

Purpose: To require the state to provide summer and Saturday dates for taking the high school exit exam if money is provided in the state budget.
Status: Held in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2192 (Karen Bass, D-Los Angeles)

Purpose: To allow certain drug offenders to qualify for CalWORKs benefits under certain conditions.
Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2339 (Mark Ridley-Thomas, D-Los Angeles)

Purpose: To establish the Colorectal Cancer Treatment Program to provide outreach, education, prevention, and treatment of colorectal cancer in low-income men.

Status: Held in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2466 (Lynn Daucher, R-Brea)

Purpose: To allow assets in a 401(k), IRA, 403(b), 457 plan, Coverdell ESA, or 529 college savings program to be excluded when determining

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Legislative Update

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whether a person is poor enough to qualify for CalWORKs.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2469 (Noreen Evans, D-Santa Rosa)

Purpose: To require the state to pay counties with 250,000 or fewer residents an amount annually equal to that previously paid by the county for in-home supportive and personal care services provided to people who are qualified aged, disabled, or blind persons on low incomes.

Status: Held in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2489 (Mark Leno, D-San Francisco)

Purpose: To allow any county office of education, or consortium of school districts, together with a county office of education, to apply for state grants to pay for operating educational services to foster children. Also would establish a program of higher education grants for foster children.

Status: Held in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2536 (Cindy Montanez, D-Mission Hills)

Purpose: To apply state laws on eight-hour workdays and 40-hour work weeks, as well as on overtime pay for additional hours worked, to work done by certain personal attendants in the home.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 2576 (Hector De La Torre, D-South Gate)

Purpose: To require gas and electric utilities to allow limited-income customers to use one application form to apply for any of the various discount programs for which they may qualify.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate. **LLP Position:** Support.

AB 2877 (Dario Frommer, D-Glendale)

Purpose: To require the state to achieve cost savings in its public health programs by using more generic drugs.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

SB 160 (Gil Cedillo, D-Los Angeles)

Purpose: To allow undocumented immigrants, who qualify already for in-state tuition at California's public universities and colleges, to qualify also for student aid to pay tuition, provided they meet the other qualifications for such aid.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 840 (Sheila Kuehl, D-Los Angeles)

Purpose: To provide health insurance for every resident of California.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1124 (Tom Torlakson, D-Concord)

Purpose: To provide financial assistance to those seeking teaching credentials in California.

Status: Held in the Assembly Appropriations Committee. **LLP Position:** Support.

SB 1162 (Gilbert Cedillo, D-Los Angeles)

Purpose: To increase the minimum wage to \$7.25 per hour, effective 60 days after passage of the bill and to \$7.75 per hour, effective July 1, 2007. Minimum wage would be adjusted automatically at intervals to be determined.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1288 (Gilbert Cedillo, D-Los Angeles)

Purpose: To require Medi-Cal to cover residential and outpatient drug and alcohol abuse treatment programs for minors age 12 or older.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1335 (Nell Soto, D-Ontario)

Purpose: To require annual, unannounced inspection visits of facilities which provide residential care for children who are under the supervision of a county welfare or probation agency.

Status: Held in the Assembly Appropriations Committee. **LLP Position:** Support.

SB 1383 (Deborah Ortiz, D-Sacramento)

Purpose: To allow college students to qualify for a Cal Grant scholarship if they complete all the requirements needed to graduate from high school or get an equivalency diploma prior to December 31 of the year in which they apply for the grant. The grant would become effective at the beginning of the semester after which it was approved.

Previously the Cal Grant application had to be approved before they started college.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

SB 1534 (Richard Alarcon, D-Van Nuys)

Purpose: To require several state agencies to work together to create a single low-income program application to cover all services provided to low-income people to assure that they receive all the help for which they qualify.

Status: Sent to the Assembly floor for a final vote in that house. **LLP Position:** Support.

LGBTI Issues

AB 606 (Lloyd Levine, D-Van Nuys)

Purpose: To require school districts to establish and publicize an anti-discrimination policy that prohibits discrimination and harassment based on gender identity and sexual orientation, among other things.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 1056 (Judy Chu, D-Monterey Park)

Purpose: To require the State Board of Education to integrate instruction on tolerance into existing English language, and social science curriculum. Would establish these requirements as a pilot program in 10 schools.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 1160 (Sally Lieber, D-San Jose)

Purpose: To establish court rules that reduce the chance of defendants using panic strategies as a way of evading conviction, or to reduce their sentence in trials for hate crimes based on sexual orientation or gender identity. Also provides \$125,000 to train prosecutors in responding to defense attorneys who try to use the panic defense.

Status: Sent to the Senate floor for a final vote in that house. **LLP Position:** Support.

AB 1207 (Leland Yee, D-San Francisco)

Purpose: To add to the pledge contained in the Code of Fair Campaign Practices that the candidate shall not use gay-bashing or transgender-bashing in their political campaigns.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate. **LLP Position:** Support.

AB 1897 (Mervyn Dymally, D-Compton)

Purpose: To allow the State Personnel Board to order the state to pay a complainant's reasonable attorney's fees when the state engaged in illegal employment discrimination.

Status: Failed in Senate Appropriations Committee. **LLP Position:** Support.

AB 2051 (Rebecca Cohn, D-Campbell)

Purpose: To revise a domestic abuse grant program to include the LGBT community for certain purposes of the grant program. The bill would also require membership on a domestic abuse advisory council to include representatives of the LGBT community. The registration fee for domestic partners would be raised to \$23 to cover the costs of the new programs.

Status: Failed in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2386 (Jenny Oropeza, D-Carson)

Purpose: To require the secretary of state to post on his website a list of candidates for public office who have signed a voluntary pledge to abide by a Code of Fair Campaign Practices during an election campaign. Would also require that the pledge be printed in ballot pamphlets and that the pamphlets mention that a list of candidates who took the pledge can be found on the secretary of state's website.

Status: Awaiting a final vote on the Senate floor. **LLP Position:** Support.

AB 2550 (Sam Blakeslee, R-San Luis Obispo)
Purpose: To require that any qualified member of the California National Guard or a widow, widower, or spouse of a qualified member (but not a domestic partner) be awarded additional preference points for any civil service employment.
Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.
LLP Position: Support if amended to add domestic partners.

AB 2800 (John Laird, D-Santa Cruz)
Purpose: To ban sexual orientation and gender identity discrimination, among others, in housing and housing-related areas.
Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.
LLP Position: Support.

AB 2920 (Mark Leno, D-San Francisco)
Purpose: To require the state to require that each area agency on aging include the needs of lesbian, gay, bisexual, and transgender seniors in their needs assessment and area plans, and require the state to provide technical assistance to the area agencies on aging for the training of all program staff, contractors, and volunteers regarding the unique needs of lesbian, gay, bisexual, and transgender seniors.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

SB 1437 (Sheila Kuehl, D-Los Angeles)
Purpose: To prohibit instruction or school-sponsored activities that reflect adversely upon persons because of their sexual orientation or gender identity.
Status: Awaiting a final vote on the Assembly floor.
LLP Position: Support.

SB 1441 (Sheila Kuehl, D-Los Angeles)
Purpose: To ban sexual orientation and gender identity discrimination in programs operated or funded by the state.
Status: Sent to the governor for his signature or veto.
LLP Position: Support.

SB 1827 (Carole Migden, D-San Francisco)
Purpose: To allow registered domestic partners to file joint or separate California Income Tax forms.
Status: Awaiting a final vote on the Assembly floor.
LLP Position: Support.

People of Color Issues

AB 432 (Jenny Oropeza, D-Carson)
Purpose: To authorize a new citizen to register and vote at a location designated by the county until the polls close on Election Day.
Status: Failed in the Senate Appropriations Committee.
LLP Position: Support.

AB 680 (Wilma Chan, D-Oakland)
Purpose: To require the state Board of Education to monitor school districts to make sure that, when 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of the pupil by the school are written in that language and may be responded to either in that language or English.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 1076 (Jerome Horton, D-Inglewood)
Purpose: To encourage public schools to teach children about World War II and the role of Filipinos in that war.
Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.
LLP Position: Support.

AB 2060 (Hector De La Torre, D-South Gate)
Purpose: To require the Department of Community Services and Development to contract with, and allocate funds to, organizations to provide free naturalization services to would-be citizens.
Status: Sent to the governor for signature or veto.
LLP Position: Support.

AB 2227 (Judy Chu, D-Monterey Park)
Purpose: To require the Judicial Council to establish a court interpreters advisory panel to assist the council in performing its duties.
Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.
LLP Position: Support.

AB 2302 (Assembly Judiciary Committee)
Purpose: To require the courts to provide interpreters in a wide variety of civil cases when a party to the proceeding is limited English proficient unless the party provides his or her own interpreter.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 2420 (Ted Lieu, D-El Segundo)
Purpose: To require state agencies, when collecting demographic data, to specifically collect data for Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Thai, Tongan, other Asians, and other Pacific Islanders, along with any other categories of people.
Status: Failed in the Senate Appropriations Committee.
LLP Position: Support.

SB 1160 (Gilbert Cedillo, D-Los Angeles)
Purpose: To permit the issuance of limited-use driver's licenses to undocumented immigrants in conformance with federal law.
Status: Failed in the Assembly Appropriations Committee.
LLP Position: Support.

SB 1267 (Gilbert Cedillo, D-Los Angeles)
Purpose: To establish the Office of Immigrant Affairs to ensure the integration and civic participation of new citizens in the state. Would allow this office to enter contracts with nonprofit groups and fund their activities which help the integration of new citizens.
Status: Failed in the Assembly Appropriations Committee.
LLP Position: Support.

SB 1329 (Elaine Alquist, D-San Jose)
Purpose: To encourage the opening of retail stores that sell healthy food in limited-income neighborhoods.
Status: Failed in the Assembly Appropriations Committee.
LLP Position: Support.

SB 1405 (Nell Soto, D-Ontario)
Purpose: To establish the Task Force on Reimbursement for Language Services to develop and adopt a mechanism for seeking federal matching funds to pay for language assistance services, including oral interpretation services and translation of written materials, for the population that is limited English proficient and that is enrolled in Medi-Cal.
Status: Awaiting a final vote on the Assembly floor.
LLP Position: Support.

SB 1569 (Sheila Kuehl, D-Los Angeles)
Purpose: To extend eligibility for certain state and local benefits, including, but not limited to, refugee cash assistance, Medi-Cal, and employment social services, to qualified noncitizen victims of trafficking, domestic violence, and other serious crimes who are taking steps to qualify for certain federal benefits.
Status: Awaiting a final vote on the Assembly floor.
LLP Position: Support.

SB 1575 (Joe Dunn, D-Garden Grove)
Purpose: To require schools to teach children about the unconstitutional deportation of US citizens and legal residents of Mexican American heritage during the 1930s.
Status: Awaiting a final vote on the Assembly floor.
LLP Position: Support.

SB 1765 (Martha Escutia, D-Norwalk)
Purpose: To allow Mexican-American citizens who were illegally deported during the 1930s or 1940s, or their heirs, to seek monetary compensation from the state of California.
Status: Sent to the governor for signature or veto.
LLP Position: Support.

Legislative Update

Continued from page 7

Women's Issues

AB 525 (Judy Chu, D-Monterey Park)

Purpose: To strengthen laws regarding the reporting of emotional child abuse likely to do serious emotional damage to a child.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.

LLP Position: Support.

AB 1796 (Rudy Bermudez, D-Norwalk)

Purpose: To require people seeking a license to practice medicine to disclose any information about any sexual misconduct or harassment settlement, judgment, or conviction in his or her past.

Status: Awaiting a final vote on the Senate floor.

LLP Position: Support.

AB 2066 (Sally Lieber, D-San Jose)

Purpose: To require the Department of Corrections to create a Female Reform Master Plan and conduct a research study of victimization of female inmates and report on the study to the legislature.

Status: Died in the Senate Appropriations Committee. **LLP Position:** Support.

AB 2084 (Betty Karnette, D-Long Beach)

Purpose: To make improvements in the laws relating to the operation of domestic abuse shelters.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.

LLP Position: Support.

AB 2139 (Bonnie Garcia, R-El Centro)

Purpose: To require a police officer responding to a domestic violence complaint to inform the victim that he or she can ask the officer to request an emergency restraining order against the perpetrator.

Status: Sent to the governor for signature or veto. **LLP Position:** Support.

AB 2169 (Cindy Montanez, D-Mission Hills)

Purpose: To delete the sunset provision for a program designed to protect domestic violence victims from stalkers by keeping key information about the victims confidential. This protective program would continue indefinitely.

Status: In the Senate Appropriations Committee. **LLP Position:** Support.

AB 2251 (Noreen Evans, D-Santa Rosa)

Purpose: To prohibit anyone from posting on the Internet any information about the addresses, home phone numbers, or picture of any employee, volunteer (or their family members), or patient of a reproductive health services facility with the intent of causing bodily harm.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.

LLP Position: Support.

AB 2317 (Paul Koretz, D-West Hollywood)

Purpose: To require the State Department of

Health Services to conduct the Perinatal Mood and Anxiety Disorders (PMAD) Awareness Campaign, using private donations to pay for it, to increase awareness and provide education to pregnant women and new mothers on postpartum mood and anxiety disorders.

Status: Sent to the governor for signature or veto. **LLP Position:** Support.

AB 2555 (Jenny Oropeza, D-Carson)

Purpose: To increase the penalties for employers who pay employees of one sex less than those of the other sex for the same work.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.

LLP Position: Support.

AB 2583 (Joe Nation, D-San Rafael)

Purpose: To require pharmacies to post visible signs in their stores informing women of their rights to prescription drugs and devices that have been legally prescribed.

Status: Sent to the governor for signature or veto.

LLP Position: Support.

AB 2695 (Jackie Goldberg, D-Los Angeles)

Purpose: To allow an employer to seek a restraining order against a person who committed domestic violence, when that domestic violence occurred in the workplace. Also would eliminate the fee for serving restraining orders in many cases.

Status: Awaiting a vote on the Assembly floor to agree with changes made to the bill in the Senate.

LLP Position: Support.

AB 2781 (Mark Leno, D-San Francisco)

Purpose: To regulate the activities of private child support collection agencies in order to protect the adult seeking child support. Would also require the person who owes child support to pay all of the cost of the private collection agency's fees.

Status: Awaiting a final vote on the Senate floor. **LLP Position:** Support.

ACA 24 (Rebecca Cohn, D-Campbell)

Purpose: To increase the income tax on income above \$100,000 per year and require that the extra taxes taken in this way be used to support domestic violence shelters.

Status: Introduced. Probably dead.

LLP Position: Support.

ACR 99 (Rebecca Cohn, D-Campbell)

Purpose: To declare the month of October 2006 as Domestic Violence Awareness Month.

Status: In the Assembly inactive file. Probably dead.

LLP Position: Support.

SB 1245 (Liz Figueroa, D-Fremont)

Purpose: To require that insurance companies or health care providers pay for the HPV test as part

of the annual cervical cancer screening test.

Status: Awaiting a vote on the Senate floor to agree with changes made to the bill in the Assembly. **LLP Position:** Support.

SB 1260 (Deborah Ortiz, D-Sacramento)

Purpose: To require that a doctor, before harvesting eggs from a woman for research purposes, obtain her written consent and provide her with information on health and consumer issues related to the process.

Status: Awaiting a final vote on the Assembly floor. **LLP Position:** Support.

SB 1402 (Sheila Kuehl, D-Los Angeles)

Purpose: Under current law charges of rape cannot be prosecuted unless they have been reported within one year of the date on which the rape occurred or unless it has been corroborated by independent evidence. This bill would remove these impediments to prosecution of rape charges.

Status: Signed by the governor.

LLP Position: Support.

SB 1491 (Sheila Kuehl, D-Los Angeles)

Purpose: To prohibit any agency making grants to domestic abuse service providers from requiring, as a condition of the grant, the disclosure of identifying information about the clients they serve or requiring the use of computer programs or systems that require the disclosure of this information.

Status: Signed by the governor.

LLP Position: Support.

SB 1743 (Debra Bowen, D-Redondo Beach)

Purpose: Under current law when a person petitions the court for a legal change of name to try to escape notice of an abuser, the petition and the court's order to show cause must be published. The proposed new name of the petitioner is usually in these documents. This bill would allow the name to remain confidential except that it will be placed on file with the secretary of state.

Status: Awaiting a final vote on the Assembly floor. **LLP Position:** Support.

SB 1745 (Sheila Kuehl, D-Los Angeles)

Purpose: To state that employment and housing discrimination against the victims of domestic violence, sexual assault, or stalking is against the public policy of the state.

Status: Awaiting a final vote on the Assembly floor. **LLP Position:** Support.

SJR 19 (Elaine Alquist, D-San Jose)

Purpose: To urge Congress and the president to uphold the Roe v. Wade decision of the United States Supreme Court.

Status: In the Senate Judiciary Committee. No hearing date set yet. Probably dead.

LLP Position: Support. 

People of Color Issue

Continued from page 3

the arts, entertainment, engineering, medicine, and other fields. The state's diversity also poses unique challenges for the delivery of government services, particularly for the courts.

Nearly seven million Californians cannot access the courts without significant language assistance; cannot understand pleadings, forms, or other legal documents; cannot communicate with judges, clerks, or other court staff; and cannot understand or participate meaningfully in court proceedings—much less present their cases effectively—without a qualified interpreter. People with limited-English proficiency are also often members of groups whose cultural traits or economic circumstances make them more likely to be subjected to legal problems, in part because perpetrators recognize their victims' limited ability to access judicial protection.

The California legislature has previously recognized that the number of non-English speaking persons in California is increasing. They recognized the need to provide equal justice under the law to all California residents and to provide for their special needs in their relations with the judicial and administrative law system. The legislature has likewise recognized that the effective maintenance of a democratic society depends on the right and ability of its residents to communicate with their government and the right and ability of the government to communicate with them.

Inadequate resources to assist litigants with limited-English proficiency affects the court's ability to function properly, causing inefficient and costly delays in proceedings for all court users, inappropriate defaults, and faulty interpretation that can ultimately subvert justice. Our judicial system relies on the adversarial process in which neutral arbiters decide disputes based upon competing presentations of facts and law. Conducting court proceedings when one party is incapable of fully participating significantly impairs the quality and efficiency of the process and its results, including compliance with court orders.

The courts have made significant efforts to assist litigants with limited-English proficiency, including steps to increase the number of certified and registered interpreters and to provide interpreters in civil cases where resources are available. Nevertheless, court proceedings are required to be conducted in English, and most crucial court forms and

Women's Issue

Continued from page 3

Governor Schwarzenegger vetoed two prior versions of this bill. In 2004 he vetoed AB 2317, and in 2005 he vetoed AB 169. This is where you come in. When he vetoed AB 169, he said he wanted to give current law time to work. You can tell him current law hasn't worked, and 57 years is long enough to wait!

The governor also said he worried that increasing the penalties for violating the Equal Pay Act would cause "frivolous lawsuits" because workers would be attracted to suing for the windfall of increased damages incorporated into the law. In response to this criticism, Assemblymember Oropeza stipulated in this bill that the increased penalties recovered will be distributed to the Labor and Workforce Development Agency for the enforcement of pay equity laws and the education of employees and employers about their rights and responsibilities under pay equity laws. Workers who sue won't receive a windfall, but society as a whole will benefit greatly!

Given the governor's past actions, this is going to be a tough bill to persuade him to sign. However he is up for re-election this November, so now is the perfect time to tell the governor that women need his support—and remind him that women and their allies vote!

Let's all support Assemblymember Oropeza in her efforts on behalf of working women. Let's make the third time the charm!

HIV/AIDS Issue

Continued from page 4

Federal Bureau of Prisons has reported that up to 30 percent of federal inmates engage in homosexual activity during incarceration. Without condoms, that is a guaranteed recipe for the rapid spread of HIV and AIDS.

That, in turn, increases the medical costs for the prison system, which has to treat the HIV/AIDS and pay for expensive medications. It also puts the general population at risk, because most prisoners are eventually released. Many of them arrived at the prison HIV negative, but leave the prison infected with HIV. When they do leave, they are at risk of transmitting the disease to their wives or girlfriends or to those who share needles with them.

AB 1677 provides a very simple solution to the problem—allowing private, nonprofit organizations to distribute condoms to prisoners in California's prisons.

AB 1667 is a good bill. Please write to the governor and urge him to sign this bill.



documents are available only in English, while the number of skilled interpreters has actually declined over the past decade and the number of persons requiring interpreter services has increased. As a result, a qualified interpreter is not provided in most civil proceedings.

Court interpreters should be available to all Californians who need them, just as they are for persons who are deaf or hard of hearing, in order to protect the fair and efficient administration of justice, allow parties to be understood by the court when they are not represented by lawyers, encourage trust and confidence in the judicial system, and promote respect for the rule of law and compliance with court orders. AB 2302 would do that and we believe it deserves your support.

Please write to the governor. Urge him to sign AB 2302.

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Intersex

Continued from page 1

births become social emergencies which immediately become medical emergencies in countries where the medical technology to "normalize" them exists. It is common to do "corrective surgery" at birth on children with "ambiguous" genitals.

This arbitrary decision concerning which sex to impose on the intersexed child is accompanied by many treatments. These surgeries are often followed by hormone replacement therapy. All of this is done in order to force the child's body into a binary system which rejects them and to which all individuals must conform.

The main problem that the intersexed face—and all others who do not meet these rigid norms for sex, gender, and desire—is the arbitrary division of sex and gender into two categories. There are not just two preexistent sex categories.

We often accept that gender is a social construct in that different social roles are associated with being a man or a woman in our different cultures. Just as there are not really just two personalities, male and female, there are not just two acceptable configurations of the genitals.

The study of hermaphrodites or the intersexed has proven that sex itself is also a social construct in that it is arbitrarily constructed as a dichotomy. As we learn more about all the different factors which determine the sex of an individual and the possibilities of all the combinations of them within the same individual, hopefully we will eventually realize how absurd it is to suppose that everyone is standard male or female.

Everyone is affected by this binary system which requires conformity to the norms established for the two official sexes and not just those of us who are born with what the professionals call "intersexed bodies." We need more choices to move beyond this binary system which is legally and medically imposed on all of us.

The body is the basis for the whole binary structure of sex, gender, and sexual orientation. Within the binary system, which is the fundamental basis for heterosexist patriarchy, no ambiguity is permitted because otherwise the sexist and very oppressive system would be destabilized. In such a system, the body becomes an object of control used to determine who is granted the privilege of normalcy—in other words, to determine who lives up to the norms. It is also often used to determine roles, pay scales, and so on.

I use the word "normal" to mean only those who conform to the norms imposed by such a sexist system. Those of us who have bodies which do not meet the norms (intersex people) or who do not act in accordance with the expected gender roles (assertive women), and those who do not have sexual attraction for those classified as the opposite sex (lesbians, gays, bisexuals, and transgenders), are considered abnormal. It all results from our bodies being classified within this heterosexist binary system and then being the property of the state. The medical system is the institution which imposes "normalcy" on intersex children.

In conclusion, it is important to support the concept that we should respect diversity.

Intersex people should be recognized as a perfectly fine variation of the range of human possibilities. Intersex people should be allowed to be just themselves and they should have equal standing and rights as intersex people in our society.

For more information, please visit www.intersexualite.org. 

Good News for Same-Sex Couples

Continued from page 1

401(k), to an Individual Retirement Account (IRA) for a non-spouse beneficiary like a domestic partner, sibling, parent, cousin, or anyone else when the individual dies.

In the past, unless you were the legally recognized spouse of the deceased, you were forced to withdraw the amount as a lump sum and you faced immediate tax penalties which would eat away at the savings amount intended for retirement.

The second provision is known as "hardship distribution." It allows individuals who list their same-sex partner or other non-spouse beneficiary under a 401(k) plan the ability to tap into their retirement funds in case of certain medical or financial emergencies of the beneficiary. Federal law in the past permitted such withdrawals only for employees' legally recognized spouses or dependents.

For more details on how the two provisions can help you and your family, please visit our website at www.hrc.org/estateplanning. 

Help Nonprofits with OutVite Cards

Continued from page 1

stationery retailer and, with each mailing, send a personal message about the importance of that charity in their lives. By sending Cards With a Heart, you send more than just a greeting, you send a living gift to the community!

Do you have a nonprofit that is close to your heart but isn't focused on LGBT matters? OutVite's sister site, elnvite.com runs the same program. Current nonprofits participating in OutVite or elnvite's programs include PFLAG, Los Angeles Gay and Lesbian Center, Susan G. Komen Breast Cancer Foundation, Alzheimer's Association, American Heart Association, and many more.

To find out more about OutVite or elnvite's Cards With a Heart program, call (866) 266-3004 or visit www.elnvite.com/cwah. 



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Handouts Challenged

Continued from page 4

of her responsibilities is to represent the university against faculty claims of unjust tenure denial.

We share concerns voiced by legislative and educational leaders that CSU is losing sight of its original mission to provide eligible California students an affordable college education. We support Speaker Núñez's call for a legislative audit of post-employment compensation packages, and we agree with John Travis' assessment that a broader "investigation is in order to protect taxpayers and the mission of the CSU system."

The increasingly high cost of a CSU education, combined with other factors that narrow access and opportunity (including CSU's "gentrification" of its mission and its underfunding or elimination of programs), is shutting CSU-eligible students out of their local universities. The prospects for California's students of color—an increasing segment of overall college-eligible population—are even bleaker. For instance, at CSU-San Diego, black student enrollment has declined by 21% in the past decade, despite increased student enrollment, in general, and increased CSU-eligible black student applications, in particular. A recent headline in the *San Diego Union Tribune* documents the other leading access issue: "Latino parents' biggest worry is about how to pay for higher education" (*San Diego Union Tribune*, A6, Tuesday, August 15, 2006).

The decline or limited growth of students of color is matched by the decline or limited growth of faculty of color within CSU. We urge the legislature and California taxpayers to call for a thorough examination of the policies and procedures that have led not only to the most recently revealed financial excesses, but to other imbalances in the system—including those pertaining to student, staff, and faculty diversity. 

Open Position Announcement

Administrative Assistant

Lambda Letters Project (LLP), a statewide organization, uniquely offers Californians direct access to the legislative process in order to affect public policy in five areas of concern: HIV/AIDS; economic justice issues; LGBTI issues; people of color issues; and women's issues. We provide sample letters and e-mails each month. Lambda Letters Project has a Legislative Advocate who works full-time on behalf of the community. Last year Lambda Letters Project delivered over 353,000 letters and e-mails to California legislators. For more information, please visit www.lambdaletters.org.

The Administrative Assistant will provide administrative support services in the LLP Sacramento office and reports to the Chair of the Lambda Letters Project or designee.

Responsibilities

- ◆ Maintaining electronic and paper files, entering member and donor information into LLP database, processing new memberships and member renewals, coordinating monthly mailings to the Lambda Letters membership, redirecting incoming mail to appropriate parties, coordinating member and donor appeal mailings, and performing general clerical tasks
- ◆ Providing phone coverage for reception, participating in the planning and implementation of projects as needed
- ◆ Responding to written and telephone inquiries, composing and sending thank-you notes to donors and members as needed
- ◆ Hand-delivering LLP materials to legislative offices
- ◆ Miscellaneous administrative duties as determined by the LLP Board

Qualifications

- ◆ 3-5 years of administrative or related experience
- ◆ Excellent organizational, written, oral and listening communications skills
- ◆ Ability to work independently and multitask with a high degree of proficiency in project and time-management
- ◆ Ability to work with many different personalities and work styles
- ◆ Demonstrated ability to achieve high performance goals and meet deadlines
- ◆ Strong interpersonal skills and independent decision-making capacity
- ◆ High functioning, organized self-starter
- ◆ Positive approach, ability to follow directives, can-do attitude, and sense of humor.
- ◆ Some donor software and database experience required. Must be proficient in Microsoft Office software, particularly database management and mail-merge functions.

Compensation

The Administrative Assistant is a part-time hourly position (approximately 20 hours per week). Salary is commensurate with experience.

Please send cover letter, business letter writing sample, three (3) letters of reference and resume to Pat Washington, The Lambda Letters Project, 4537 Alamo Drive, San Diego, CA 92115, or e-mail these to pat.washington@lambdaletters.org.

Women, members of racial-ethnic and LGBTI communities are urged to apply. Applications will be accepted until position is filled. Please no phone calls.

LLP is an equal opportunity employer.





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